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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| In re Patent Application of   | ) | <b>Mail Stop Appeal Brief - Patents</b> |
| Martin F. Arlitt et al.       | ) |   |
| Application No.: 09/368,635   | ) | Group Art Unit: 2172                    |
| Filed: August 4, 1999         | ) | Examiner: Isaac M. Woo                  |
| For: CONTENT CONSISTENCY IN A | ) | Confirmation No.: 5764                  |
| DATA ACCESS NETWORK           | ) |   |
| SYSTEM                        | ) |   |
|                               | ) |   |
|                               | ) |   |
|                               | ) |   |

**REPLY BRIEF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Answer mailed 08 August 2005 and in addition to the arguments presented in the previously filed Appeal Brief, Applicants note that in the Examiner's Answer, the Examiner asserts that U.S. Patent No. 6,324,565 to Holt (Holt) at column 6, lines 59-61 and column 7, lines 37-45, "teaches the cache software 24 at the content server 14 keeps track of the intermediate server that has a request [sic] a particular content file.... Hence, the cache software 24 on the content server 14 constitutes a subscription manager as claimed."

However, this fails to disclose or suggest Applicants' claimed invention, because keeping track of an intermediate server that has requested a particular content file is not the same as keeping track of proxy servers that have *subscribed* to a content file. As described in the present application, for example at page 17, lines 11-13, page 17, line 24 to page 18, line 8, and page 18, lines 14-19, merely requesting a file does not establish a subscription. A subscription arises when a proxy server specifically asks to be subscribed for a content file, for example by


being added to a subscription list for the content file, where the subscription list is maintained by a subscription manager in the content server. Accordingly, Holt fails to disclose or suggest the claimed subscription manager for specifying all of the proxy servers that are *subscribed* to a content file stored in the content server, as recited for example in Claim 1.

For at least this reason, in addition to Applicants' arguments previously presented, the asserted combination of Holt and U.S. Patent No. 6,377,991 to Smith (Smith), fails to disclose Claim 1 and dependent claims.

Respectfully submitted,

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